IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 24231 of 2004

Between:

1 Doma Ramesh, s/o Ramachandram, R/o Budhipally, H/o Regulagudem Village, Kataram Mandal, Karimnagar District.
2 Doma Mallaiah, s/o Rajaiah, R/o Budhipally, H/o Regulagudem Village, Kataram Mandal, Karimnagar District.

..... PETITIONERS

AND

1 The Collector, Karimnagar District.
2 The Mandal Revenue Officer, Kataram Mandal, Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue preferably a writ in the nature of mandamus or any appropriate writ declaring the action of respondents in trying to evict the petitioners from an extent of 1.29 gts. in Sy.No.181/4, situated at Regulagudem Village, Kataram Mandal, Karimnagar District as illegal.

For the Petitioners: MR. A. RAJASEKHAR REDDY, Advocate.

For the Respondents: GP FOR REVENUE

The Court at the admission stage made the following :

ORDER:

-

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue and with their consent the writ petition itself is disposed of at the stage of admission.

The grievance of the petitioners is that without considering their explanation, dated 27-11-2004 submitted to the show-cause notice, dated 05-11-2004 issued by the second respondent-Mandal Revenue Officer, Kataram Mandal of Karimnagar District, under Rule 3 of Andhra Pradesh Assigned Lands (Prohibition of Transfers) Rules, 1977, the respondents are trying to evict the petitioners from the land to an extent of Ac.1-29 guntas in Survey No.181/4 of Regulagudem village, Kataram Mandal of Karimnagar District, which is arbitrary and illegal.

Having regard to the facts and circumstances of the case, I deem it appropriate to direct the second respondent to consider the explanation submitted by the petitioners, dated 27-11-2004 to the show-cause notice, dated 05-11-2004 issued by him, and pass appropriate orders thereon in accordance with law. Till passing of such orders, status-quo existing as on today shall be maintained. If the respondents have already passed orders considering the explanation of the petitioners, they are at liberty to proceed in the matter as per the decision taken thereon.

Accordingly, the writ petition is disposed of at the stage of admission.

_____

N.V. RAMANA, J

Date: 27-12-2004

Note:

Issue C.C. by tomorrow

(Bo)

Svv

To

1 The Collector, Karimnagar District.
2 The Mandal Revenue Officer, Kataram Mandal, Karimnagar District.

3 Two CCs. to the Government Pleader for Revenue, High Court Buildings, A.P., Hyderabad (OUT).

4 Two CD copies.